

01-26-05

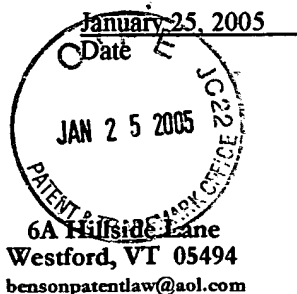
IFW

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label Number ED 164097132 US in an envelope addressed to: Commissioner for Patents, Art Unit 1744, attn: Nicole Lawrence, P.O. Box 1450, Alexandria, VA 22313-1450 and was faxed to Nicole Lawrence at 571-273-1025.

January 25, 2005

Date

Eric R. Benson, Esq.



LAW OFFICES  
**ERIC R. BENSON**  
U.S. Patent Attorney

Telephone (802) 893-7700  
Cellular (802) 373-0079  
Facsimile (802) 893-6648

Eric R. Benson, Esq.\*

\* Admitted to practice in Vermont  
Admitted to practice before the  
United States Patent and Trademark Office  
Reg. No. 38,074

January 25, 2005

**Via facsimile and Express Mail**  
Commissioner of Patents  
Art Unit 1744  
attn: Nicole Lawrence  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: Notice of Non-Compliant Amendment (37 C.F.R. 1.121) - for the 12/17/04 filed Request for Continued Examination pursuant to 37 CFR §1.114 for the Patent Application - ORGANIC COMPOUND AND METAL ION SYNERGISTIC DISINFECTION AND PURIFICATION SYSTEM AND METHOD OF MANUFACTURE - Bradley J. Eldred, Inventor, U.S. Patent Application No. 10/679,660 filed on October 6, 2003, Claiming Priority from U.S. Provisional Patent Application Ser. No. 60/416,817

Dear Nicole:

- Enclosed please find for filing:
1. Notice of Non-Complaint Amendment (1 Sheet)
  2. Corrected "In the Claims" section of prior filed Amendment (12 Sheets); and
  3. Filing receipt post card

**Please note that all communication with respect to this filing should be addressed to the applicant's counsel at:**

**Law Offices Eric R. Benson, Esq.**  
6A Hillside Lane  
Westford, VT 05494-9769

If you have any questions please do not hesitate to call. Thank you.

Very truly yours,

Eric R. Benson, Esq.

ERB/erb

enclosures

cc: Bradley J. Eldred

C:\Documents and Settings\Eric R. Benson, Esq. - Document\ANALYTICAL SERVICES\MICROPUR TECH\REVISED Claims 1-24-05 - RCE Transmittal Letter.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

10/6794660

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12/17/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Michael Lawrence (571) 242-1025  
Legal Instruments Examiner (LIE) Telephone No.